IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

TUESDAY, THE 27TH NOVEMBER 2007 / 6TH AGRAHAYANA 1929

WP(C).No. 23105 of 2007(A)

PETITIONER:

ABRAHAM POTHEN, CHAKKUPURAYKKAL,
PERUNNA EAST, CHANGANACHERRY, KOTTAYAM
DISTRICT.

BY ADV. SRI.JOHN VARGHESE
SRI.K.S.SAJEEV KUMAR

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. DISTRICT COLLECTOR, COLLECTORATE,
KOTTAYAM.

3. THE LAND ACQUISITION OFFICER,
SPECIAL TAHSILDAR, LAND ACQUISITION (GENERAL),
KOTTAYAM.

BY GOVERNMENT PLEADER SHRI BASANT BALAJI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE NOTICE DATED 6.12.2004 ISSUED BY THE 3RD RESPONDENT

EXT.P2 -DO- DATED 16.7.2007 ISSUED BY -DO-

EXT.P3 TRUE COPU7 OF THE REPRESENTATION DATED 23.7.2007 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT

//TRUE COPY//

K. PADMANABHAN NAIR ,J.

W.P.(C) No.23105 of 2007 A

Dated, this the 27th day of November, 2007

JUDGMENT

Petitioner's land was acquired for a public purpose. Initially the Land Acquisition Officer issued a notification stating that an extent of 0.0520 hectares was to be acquired. According to the petitioner without assigning any reason in the award enquiry notice the area sought to be acquired was shown as 0.1130 hectares. The grievance of the petitioner is that if so much extent of land is acquired that will affect the residential house of the petitioner situated in the property. The alignment of the road was fixed by the Public Works Department. It is submitted by the Government Pleader that though in Section 4(1) notification the area sought to be acquired is noted as 0.0520 hectares, in Section 6(1) declaration it is stated as 0.1130 hectares. It is admitted by the petitioner himself that the proceedings has reached at the stage of award enquiry. So there is no scope for any interference with the proceedings. There is no merit in the Writ Petition and the same is only to be dismissed.

In the result, Writ Petition is dismissed.

K. PADMANABHAN NAIR,
JUDGE.

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